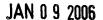
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Our Docket No. CMCC 779

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MESSAGE:

AMENDMENT UNDER 37 C.F.R. 1.116 EXPEDITED PROSECUTION ART UNIT 1647

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Samy Ashkar and Jairo Salcedo

Serial No.:

09/981,845

Art Unit:

1647

Filed:

October 18, 2001

Examiner:

Regina M. Deberry

For:

OSTEOPONTIN-COATED SURFACES AND METHODS OF USE

Attachments:

Transmittal Form PTO/SB/21; Fee Transmittal Form PTO/SB/17; and Amendment AF

Typed or printed name

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/981,845 Filing Date October 18, 2001 TRANSMITTAL First Named Inventor Samy Ashkar FORM Art Unit 1647 Lxaminer Name Regina M. Deberry (to be used for all correspondence after initial tiling) Attorney Docket Number **CMCC 779** Total Number of Pages in This Submission (Check all that apply) **ENCLOSURES** After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board of Appeals and Interferences Liconsing-related Papers Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application After Final Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(6) Other Enclosure(s) (please identify Terminal Disclaimer below): **Extension of Time Request** Request for Refund Express Abandonment Request CD. Number of CD(5)_ Information Disclosure Statement Landscape Table on CO Romarks Certified Copy of Priority Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Pabst Pater Group LLP Signature Printed name Patrea L. Pabst Reg. No. 31.284 January 9, 2006 Date CERTIFICATE OF TRANSMISSION/MAILING I hereby conify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envologe addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature , 2006 January G

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SUBMITTED BY				
Signature	/	\	Registration No. 31,284	Telephone (404) 879-2151
Name (Print/Type)	Patroa L	Pabst		Date January 9, 2006

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AMENDMENT UNDER 37 C.F.R. 1.116 EXPEDITED PROSECUTION **ART UNIT 1647**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Jan 09 06 08:41p

Samy Ashkar and Jairo Salcedo

Serial No.:

09/981.845

Art Unit:

1647

Filed:

October 18, 2001

Examiner:

Regina M. Deberry

For:

OSTEOPONTIN-COATED SURFACES AND METHODS OF USE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT

Sir:

This is in response to the final rejection of claims 1-3, 5 and 6 in the Office Action mailed August 8, 2005, in the above-identified patent application. A Notice of Appeal was mailed on November 8, 2005, the fee of \$250.00 paid as the fee for filing a notice of Appeal for a small entity. A notice of Appeal was filed in the above-identified patent application on June 14, 2004 and a fee of \$165 paid for filing a Notice of Appeal by a small entity. REFUND OF THE \$165.00 CHARGED FOR THE RE-SUBMISSION OF THE NOTICE OF APPEAL IS RESPECTFULLY REQUESTED. An Appeal brief was filed on August 16, 2004, and a Substitute Appeal Brief on December 2, 2004. The examiner reopened examination on March 17, 2005, in response to the Substitute Appeal Brief. The

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CMCC 779 078856/00047 U.S.S.N. 09/981,845 FILED: October 18, 2001 **AMENDMENT**

Commissioner was authorized to charge \$165 to Applicant's deposit account in payment of the Appeal Brief filed on August 16, 2004, the fee for filing an Appeal Brief for a small entity. It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-3129.

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